

## TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

OCTOBER 1, 2007

## Study Session

City Manager David A. Collinsworth opened the Study Session at 7:34 p.m. on this date.

## Roll Call

Council Members in attendance included: President William D. Beagle, Rick Mains, Jr., Vickie K. Blakey, Tim Evans, Mayor George H. Lovett, Donald H. Ochs, and Patrick Hale.

Others in attendance included: Michael McFarland, Fire Chief Steve Kessler, Finance Director Richard Drennen, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Misty Cheshire.

Discussion –  
Aquatic Center Review

Mr. Collinsworth used the attached PowerPoint presentation to provide a three year overview of the aquatic center. Mr. Collinsworth highlighted attendance averages, revenues, expenditures, and operational issues.

Staff recommended an increase in membership and/or daily admission fees, concession, and swim lessons, noting that no increases were made in 2007.

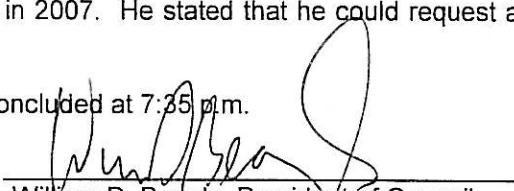
Mr. Collinsworth noted that the existing contract with Cincinnati Pool Management (CPM) expires in November and recommended the contact be extended for an additional year. He noted that he was pleased with their services and the cost to operate the facility in-house would include management and support that was not currently in place within the City's current staffing alignment.

City Council stated that they would like to see a detailed breakdown of the operating costs. Mr. Collinsworth stated that he was not sure if CPM would provide that information.

President Beagle asked if the existing contract included the cost for a one year extension. Mr. Collinsworth stated that the contract did not include that information. He noted that CPM received a 3% increase in 2006, and a 1% increase in 2007. He stated that he could request a quote for the 2008 season.

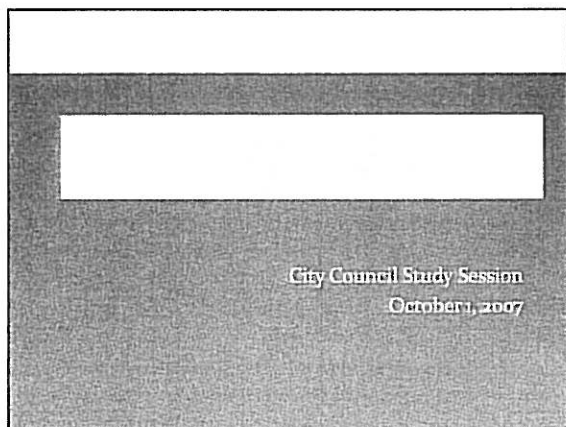
## Adjournment

The study session concluded at 7:35 p.m.

  
William D. Beagle, President of Council

Attest:   
Misty Cheshire, Clerk of Council

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## 2007 Season At –A-Glance

- Third Season total attendance 52,673
- Average Daily Attendance = 566
- Record revenues in June and August
- Peak Day Attendance = 1286
- Total Swim Lesson Participants = 258
- Total Staff = 77 (94% from 45371 zip code)
- Pizza Slices sold = 6,045
- Total Concession Revenue = \$80,652

## 2007 Revenues

|                         |          |                  |
|-------------------------|----------|------------------|
| Season Passes           | =        | \$136,924        |
| Daily Admissions        | =        | \$130,760        |
| Concessions             | =        | \$ 86,346        |
| Swim Lessons            | =        | \$ 9,705         |
| Pool Rental             | =        | \$ 4,787         |
| Vend. Comm./Misc.       | =        | \$ 703           |
| Subttl./Facility Rev.   | =        | \$369,225        |
| General Fund Trans.     | =        | \$ 30,000        |
| <b>Grand Total Rev.</b> | <b>=</b> | <b>\$399,225</b> |

## 2007 Expenses

|  |          |                        |
|--|----------|------------------------|
| Operations & Management Contract             | =        | \$324,487 <sup>1</sup> |
| Other (utilities, concession supplies, etc.) | =        | \$ 82,575              |
| <b>TOTAL Operating</b>                       | <b>=</b> | <b>\$ 407,062</b>      |
| Capital Expense                              | =        | \$ 8,425 <sup>1</sup>  |
| <b>TOTAL EXPENSES</b>                        | <b>=</b> | <b>\$415,487</b>       |

<sup>1</sup>Note that this year, we experienced about a \$10,000 increase in O&M solely due to the state minimum wage law change

<sup>1</sup> Until this year, all capital expenses were charged to the Parks Capital Improvement Fund

## 2007 Revenue – Expense Comparison

|   |           |
|---|-----------|
| Operating Revenues (w/o G.F. transfer)  | \$369,225 |
| Operating Expenses (excl. capital exp.) | \$407,062 |
| General Fund Contribution               | \$ 37,837 |

## 2007 Budget v. Actual

| <u>Category</u> | <u>2007 Budget</u> | <u>2007 Actual</u> |
|-----------------|--------------------|--------------------|
| Revenues        | \$350,500          | \$369,225          |
| Oper. Expenses  | \$409,653          | \$407,062          |
| Variance        | (\$59,153)         | (\$37,837)         |

### Three Year Comparison

|                          | 2007      | 2006      | 2005      |
|--------------------------|-----------|-----------|-----------|
| <b>Revenues*</b>         | \$369,225 | \$374,353 | \$359,831 |
| <b>Expenses</b>          | \$407,062 | \$382,122 | \$374,968 |
| <b>Annual Attendance</b> | 52,673    | 52,952    | 61,556    |

\*Excludes G.F. Transfers

### Concession Revenue Summary

- Receipts (less sales tax) = \$80,652
- Cost of Goods Sold = \$40,000
- Net Receipts = \$40,652 (excl. labor)
- Top Sellers (units)
  - Sodas - 7,419
  - Ice Cream - 6,900
  - Pizza - \$6,045
  - Pretzels - \$5,996
  - Frushees - 4,214
  - Hot Dogs - \$2,824

### Operational Issues

- Equipment repairs & Maintenance
  - Water slide
  - Fill-line on leisure pool
  - Leisure pool strainer
  - Painting of Leisure pool
  - Late night break-ins/infra-red camera install.
  - Replace rescue tubes
- Three EMS incidents (diving, slide, heat)
- Soft July (mid-to-late July weather)

### Issues For Next Year

- Look at modest increase in membership and/or daily admission fees, concessions and swim lessons
  - No increases were made for 2007 season
- Marketing
- CPM Contract - current agreement expires in November
  - Staff recommends authorizing a one-year extension

### Dayton Pool Mgt. Performance

- Experience with DPM has overall been very positive
- Key Strengths in Contracting Out O&M
  - Day to day operational expertise of CPM
  - Organizational depth to key functions (personnel, purchasing, training, etc.)
  - Professional guidance on policies & procedures, marketing, etc.
  - Minimal impact on City staffing requirements
- Cost to operate "in-house" must include management and support overhead not currently in place

Questions?

## TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

OCTOBER 1, 2007

**Roll Call**

President William D. Beagle called to order the regular meeting of the Tipp City Council at 7:37 p.m. Roll call showed the following Council Members present: Rick Mains, Jr., Vickie K. Blakey, Donald H. Ochs, William D. Beagle, Mayor George H. Lovett, Tim Evans, and Patrick Hale.

In attendance: City Manager David A. Collinsworth, Law Director Joseph P. Moore, Sgt. Gary Gulden, Finance Director Richard Drennen, Assistant City Manager Bradley C. Vath, Utilities Director M. J. Eichman, Assistant Utilities Director Christy Butera, City Engineer/Service Director Scott Vagedes, Fire Chief Steve Kessler, *Dayton Daily News* reporter Nancy Bowman, *Tipp Herald* reporter Mike Kelly, and Clerk of Council Misty Cheshire.

Citizens signing the register included: John Jung, Michael McFarland, Steven Chaney, Dee Gillis, John Berbach, Chuck Smith, and Joe Gibson.

**Invocation and Pledge of Allegiance**

John Jung from Ginghamburg United Methodist Church delivered the invocation. President Beagle led the Pledge of Allegiance.

**Approval of Agenda**

President Beagle moved to amend the agenda by adding an Executive Session to discuss a personnel matter, seconded by Mayor Lovett. The motion carried. Mr. Ochs moved, seconded by Mr. Hale, to approve the amended agenda. The motion unanimously carried.

**Adoption of Minutes**

Mr. Ochs moved, seconded by President Beagle, to adopt the minutes of the September 17, 2007 Pre-Meeting Study Session. The motion carried 7-0.

Mr. Mains moved, seconded by Mr. Hale, to adopt the minutes of the September 17, 2007 City Council Meeting. The motion carried 7-0.

Mr. Ochs moved to adopt the minutes of the September 17, 2007 Post Meeting Study Session, seconded by Mr. Evans. The minutes were unanimously adopted.

**Proclamations**

Mayor Lovett proclaimed the month of October as National Breast Cancer Awareness Month.

**Ordinances**  
(Second Reading and Public Hearing)  
Ordinance 32-07  
Code Amendment  
Concealed Carry in Parks

The following ordinances were presented to City Council for second reading and public hearing.

Ordinance 32-07: An ordinance amending Section 96.01 of the Code of Ordinances of the Municipality of Tipp City, Ohio to comply with the Ohio Revised Code on persons permitted to carry concealed handguns.

Clerk of Council Summary: This legislation amends City Code to be consistent with state law as it relates to the concealed carry of handguns in all Tipp City public parks and nature areas.

City Manager Report: Mr. Collinsworth stated that this ordinance addresses restrictions to the concealed carry law that may apply to the City's recreation facilities and properties when being utilized for school activities. Mr. Collinsworth stated that the purpose of this ordinance was to synchronize with state law, which was recently amended to permit concealed carry of firearms.

Mrs. Blakey stated that she was aware that State law would supersede anything City Council passes but she would not support this ordinance because she favored the Home Rule approach and thought the local Police Department was competent to deal with crime issues in the park.

There being no further discussion, Mr. Hale sponsored this ordinance and moved for its adoption, seconded by Mr. Ochs. The motion carried with a vote of 6-1, Mrs. Blakey cast the dissenting vote. Ordinance 32-07 was declared passed and President Beagle affixed his signature in witness thereto.

Ordinance 33-07  
Fluoridation

Ordinance 33-07: An ordinance authorizing the City Manager to adjust the fluoride content of the water supply of the City of Tipp City.

Clerk of Council Summary: This ordinance authorizes the NAWA plant to fluoridate the City's water supply consistent with state law.

City Manager Report: The Ohio Revised Code requires public water systems to add fluoride to their water. The required range is from 0.8 milligrams/liter (mg/l) to 1.3 mg/l. Mr. Collinsworth noted that the NAWA plant has the capability to fluoridate the City's water supply consistent with state law. He noted that the Ohio EPA has recommended that the fluoride level be set at 1.0 mg/l.

Mr. Ochs stated that he was contacted by citizens regarding an ordinance passed in the 1970's authorizing fluoridation in Tipp City, which was subjected to referendum. The referendum was never recorded in the County records. He asked what action citizens could take now if they still opposed fluoridation.

Mr. Moore stated that a referendum took place in Tipp City to prevent fluoridation. City Council has had the opportunity to revisit this issue and can pass legislation to fluoridate. If citizens still oppose fluoridation, they can initiate a new referendum. He stated that six cities in Ohio originally chose not to fluoridate the water have since chosen to fluoridate.

Mr. Ochs asked if citizens could initiate a referendum if the Ohio Revised Code was mandating the fluoridation. Mr. Moore stated that since Tipp City does not currently fluoridate its water, and because Tipp City did originally opt-out, a successful referendum could stop the City from adding fluoride to the water supply. Mr. Ochs noted that he was in favor of the fluoridation; he just wanted to inform the citizens.

Dr. Chuck Smith, a local dentist, stated that dental disease was the largest unmet need in the State of Ohio. The Ohio Department of Health has been working on a program that would help resolve dental diseases in low income and poor families in the State, these families will gain by fluoridating the water system.

There being no further discussion, Mayor Lovett sponsored this ordinance and moved for its adoption, seconded by Mr. Evans. The motion unanimously carried. Ordinance 33-07 was declared passed and President Beagle affixed his signature in witness thereto.

Ordinance 34-07  
Recreational Trail  
Land Acquisition

Ordinance 34-07: An ordinance authorizing the City Manager to purchase certain real property in the amount of 6.252 acres from George C. Timmer, Trustee at a cost not to exceed \$31,606.

Clerk of Council Summary: The purchase of these 6.252 acres will allow for the completion of the recreational trail segment between Kyle Park and Canal Lock Park.

City Manager Report: By acquiring this parcel the City would ensure completion of the recreational trail segment between Kyle Park and Canal Lock Park.

Mrs. Blakey stated that in the past, the City has discussed plans to build an entrance to Kyle Park on St. Rt. 571. She asked if the City had a time frame for this project. Mr. Collinsworth agreed that this was a long term goal but noted that this project was not in the existing 5-year Capital Improvement Plan.

Mr. Vagedes stated that additional land would be needed to construct an entrance from St. Rt. 571. The proposed plan would include soccer fields on each side of the entrance drive. At this time, Mr. Timmer wants to continue farming the land and is not interested in selling additional acreage. He noted that Mr. Timmer owns about 70 acres of land in this area.

There being no further discussion, Mr. Mains sponsored this ordinance and moved for its adoption, seconded by Mr. Hale. The motion unanimously carried. Ordinance 34-07 was declared passed and President Beagle affixed his signature in witness thereto.

Ordinance 35-07  
Park Use Code  
Amendment

Ordinance 35-07: An ordinance amending Section 96.01 of the Tipp City, Ohio Code of Ordinances regarding public use of parks and nature areas.

Clerk of Council Summary: This proposed code amendment would allow certain exemptions of the currently codified park hours on a case-by-case basis at the discretion of the Parks Advisory Board.

City Manager Report: This code amendment creates exemptions, to be granted by the Parks Advisory Board, on a case by case basis and authorizes the Board to establish fees to compensate the City for extraordinary costs associated with such requests.

Mrs. Blakey asked if the renters of the Roundhouse could request extended hours. Mr. Collinsworth noted that the HAM Radio

**Resolutions  
(One Reading  
Required)**

Resolution 32-07  
West Side Fire/EMS  
Station Parking Lot

Operators have been allowed to use the facility after hours because their exercises benefit the community at large. They have always been given an exemption and could be included in this process.

There being no further discussion, Mr. Ochs sponsored this ordinance and moved for its adoption, seconded by President Beagle. The motion unanimously carried. Ordinance 35-07 was declared passed and President Beagle affixed his signature in witness thereto.

The following resolutions were presented to City Council for adoption.

Resolution No. 32-07: A resolution authorizing the City Manager to enter into a contract with Spearman Brothers, Inc. of Sidney, Ohio for the construction of the West Side Fire Station Parking Lot at a cost of \$70,254.50.

Clerk of Council Summary: A total of four bids were received for this project. Spearman Brothers, Inc. of Sidney, Ohio submitted the lowest and best bid in the amount of \$70,254.50.

City Manager Report: A total of four bids were received for this project ranging from a low of \$70,254.50 to a high of \$85,798.10. The engineer's estimate was \$86,987. Mr. Collinsworth noted that Spearman Brothers did a good job on the S. Hyatt Street Sanitary Sewer Project. Funding for this project will be broken down as follows: \$47,000 from the Capital Improvement Reserve Fund; \$14,305 was encumbered and been carried forward; and the remaining \$8,949.50 will be covered by the City's surplus Streetscape funds.

President Beagle asked the plan included a landscape buffer between the parking lot and the adjacent home. Mr. Collinsworth stated that this project will met all of the City's landscaping requirements.

Mr. Vagedes noted that an 8' buffer strip would be installed on the west side of the parking lot next to the residential property. There will be sod installed with this project. Trees and a landscaping plan have been approved but are not included in this project. This parcel will also include landscaping as part of the Streetscape Program.

There being no further discussion, Mr. Ochs sponsored this resolution and moved for its adoption, seconded by President Beagle. The motion unanimously carried. Resolution 32-07 was declared passed and President Beagle affixed his signature in witness thereto.

Resolution 33-07  
Road Salt Purchase

Resolution 33-07: A resolution authorizing the purchase of road deicing salt from Morton Salt at a rate of \$47.82 per ton dumped or \$50.32 per ton using a piler.

Clerk of Council Summary: Authorizes the purchase of road deicing salt through the Southwest Ohio Purchasers for Government (SWOP4G) cooperative bid awarded to Morton Salt from Chicago, Illinois.

City Manager Report: Mr. Collinsworth stated that over the last decade, the City's salt usage has ranged from a low of 338 tons to a

high of 1085 tons, with the past four winters averaging 650 tons each. The results of the SWOP4G bid resulted in a slight increase in the per ton rate from \$46.77 to \$47.82 dumped and \$50.32 per ton with a piler, versus \$49.27 in 2006. Mr. Collinsworth noted that 105 communities in southwest Ohio participated in the bid. He noted that the City usually budget around \$30,000 each year for salt, the City currently has 700 tons in storage.

There being no further discussion, Mr. Evans sponsored this resolution and moved for its adoption, seconded by Mayor Lovett. The motion unanimously carried. Resolution 33-07 was declared passed and President Beagle affixed his signature in witness thereto.

Resolution 34-07  
OPWC Round 22  
Traffic Signal  
Interconnection

Resolution 34-07: A resolution authorizing the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required for the traffic signal interconnection project.

Clerk of Council Summary: This legislation authorizes a grant application to be filed for this project which will connect Main Street traffic signals together with fiber optics from County-Road 25-A to Hyatt Street. The total cost of this project is estimated at \$1,060,700.

City Manager Report: Mr. Collinsworth stated OPWC's District 11 Executive Committee has earmarked \$250,000 for this project. This amount will be supplemented with \$458,218 in ODOT Congestion Mitigation/Air Quality (CMAQ) funds administered through MVRPC, and the balance will come for a City match totaling \$352,482.

Mr. Ochs asked if a new traffic signal would be installed at Kinna Drive. Mr. Collinsworth stated that the developer would install a traffic signal at that location.

Mr. Ochs asked if the Kinna Drive traffic signal would be installed in time to be coordinated with the other lights. Mr. Vath stated that the budget did include the interconnection of that signal. The grant for OPWC will become available in July of 2008 and the signal should be installed by that time.

President Beagle asked how soon the City would know if the grants are awarded. Mr. Collinsworth stated that Tipp City is already in the 3-year cycle for this project, this is a final authorization for the grant.

There being no further discussion, Mr. Mains sponsored this resolution and moved for its adoption, seconded by Mr. Ochs. The motion unanimously carried. Resolution 34-07 was declared passed and President Beagle affixed his signature in witness thereto.

Resolution 35-07  
MVRPC SAFETEA-LU  
Streetscape

Resolution No. 35-07: A resolution authorizing the City manager to file an application and enter into an agreement with the Ohio Department of Transportation for the purpose of acquiring funds from the Safe, Accountable, Flexible and Efficient Transportation Equity Act for two Main Street Streetscape Projects.

Clerk of Council Summary: Funds from this grant will be used to continue the Streetscape Program from the CSX Railroad tracks to First Street downtown.

City Manager Report: Mr. Collinsworth stated that the City's five-year Capital Improvement Plan (CIP) call for the continuation of Main Street Streetscape project to include the sections of downtown from the railroad to Third Street and Third Street to First Street. Staff recommended four applications be submitted, two for each phase, which would enable the City to reach multiple SAFETEA-LU funding sources as administered by the MVRPC.

Mr. Ochs stated that he would like to see a forum established for Downtown Business owners affected by the project. He stated that it was important to maintain the historical look of downtown and the property owners need to be part of the process.

Mr. Collinsworth stated that about 7 years ago the City planned to begin the Streetscape Program downtown and migrate west. At that time, the receptivity to the concept was not high so the focus was shifted to the west working toward downtown. He noted that public meetings with the downtown stakeholders will be held before the project begins.

There being no further discussion, Mayor Lovett sponsored this resolution and moved for its adoption, seconded by Mr. Ochs. The motion unanimously carried. Resolution 35-07 was declared passed and President Beagle affixed his signature in witness thereto.

Resolution 36-07  
Ohio Historic  
Preservation CLG

Resolution No. 36-07: A resolution authorizing the City Manager to file an application and enter into an agreement with the Ohio Historic Preservation Office for a Certified Local Government Grant.

Clerk of Council Summary: This grant request would enable the City to retain the services of a historic preservation planning firm to develop and submit a Multiple Property Documentation (MPD) for four historic industrial properties in the Legacy District.

City Manager Report: As a Certified Local Government (CLG), through the Ohio Historic Preservation Office (OHPO), Tipp City has the ability to apply for various grants that would further the City's adopted Historic Preservation Plan. Said Plan, which was accomplished with OHPO grant funds, includes the recommendation to obtain a National Register designation for four industrial properties within the City's Legacy Industrial District.

There being no further discussion, Mr. Evans sponsored this resolution and moved for its adoption, seconded by Mr. Hale. The motion unanimously carried. Resolution 36-07 was declared passed and President Beagle affixed his signature in witness thereto.

**Ordinances  
(First Reading)**

The following ordinances were presented to City Council for first reading. The second reading and public hearing will be held on October 15, 2007.

Glaser Rezoning

Mr. Mains sponsored an ordinance to amend the zoning code and the map attached thereto by changing the zoning of +/-0.5581 acres

(part of Inlots 4032 and 4044) located at 1330 East Evanston Road from R-1 (Residential) to R-1A (Residential) zoning classification.

Clerk of Council Summary: The Planning Board reviewed and recommended this +/- 0.5881 acre parcel be rezoned from R-1, Open Space Residential, to R-1A, Suburban Residential. A public hearing has been scheduled for October 15th regarding this rezoning request.

City Manager Report: Mr. Collinsworth reported that at the September 11<sup>th</sup> Planning Board Meeting, the Board recommended the rezoning of 0.058 acres of land recently annexed into the City by Carolyn and John Glaser be rezoned from R-1 to R-1A. The public hearing date will coincide with the second reading of this ordinance.

**Sewer Use  
Regulations  
Amendment Industrial  
Pre-Treatment**

Mr. Ochs sponsored an ordinance amending Sections 54.02 and 54.13 of the Tipp City, Ohio, Code of Ordinances to revise the industrial sewer use regulations.

Clerk of Council Summary: This amendment will modify the City's sewer regulations regarding industrial pre-treatment standards to give flexibility to industries that occasionally exceed the current ph limits.

City Manager Report: Mr. Collinsworth noted that the City was obligated to enforce certain industrial pre-treatment standards to ensure that the Tri-Cities Wastewater Authority (TCA) plant can effectively treat influent and stay within its EPA mandated discharge standards. In this instance, the city is relaxing a standard to provide more flexibility with industrial customers subjected to pre-treatment standards. He noted that this change affects the ph limits and gives some flexibility to industries that may occasionally exceed the current limits in small volumes. By adopting this amendment, TCA and the City will continue to meet its standards while assisting some industries by providing increased flexibility in meeting discharge requirements.

**Citizen Comments**

There were no citizen comments.

**Council Member  
Comments**

Mr. Hale encouraged citizens to attend the Volley for a Cure event on October at 2<sup>nd</sup>. The girl's varsity volleyball team will face Urbana at 6 p.m.

President Beagle congratulated the Mum Festival Committee on a job well done.

**City Manger  
Comments**

Mr. Collinsworth noted that Vectren has submitted an application to the Public Utilities Commission of Ohio (PUCO) for a proposed base rate increase of 8% for the typical residential user, which would result in an average monthly increase of about \$7 a month.

Hydrant Flushing will begin the week of October 15th. Flushing will occur between the hours of midnight and 8 a.m. Residents were advised to let their water run if the experience discoloration.

Mr. Collinsworth asked the City Engineer to provide an update on the status of the Main Street Streetscape Project. Mr. Vagedes stated that most of the asphalt behind the driveways were completed today. Milling will occur around the water valves and patchwork is

needed along the curbs. Two areas still need driveway pavers and some sidewalks still need to be installed. This works should be completed by the end of the week. He expected that final paving would occur next week. Tree planting will occur at the end of October or the beginning of November.

**Executive Session**


President Beagle moved to adjourn the Executive Session to include the members of City Council for the purposes of discussing a personnel matter, seconded by Mrs. Blakey. The motion unanimously carried. Council adjourned to Executive Session at 8:44 p.m.

**Adjourn**

City Council reconvened in regular session, there being no further business, it was moved by Mrs. Blakey, seconded by Mr. Hale, that the meeting be adjourned. The motion unanimously carried. President Beagle declared the meeting adjourned at 9:17 p.m.

  
William D. Beagle, President of Council

Attest:

  
Misty Cheshire, Clerk of Council